

Claims 7, 9, 11, 13, 14, and 16 – 18 remain in this application. Claims 8, 10, 12 and 15 have been cancelled. Claim 7 has been amended and new claims 19 – 26 have been added.

In the Office action mailed July 6, 2001, claims 7 – 18 were rejected under 35 U.S.C. §102(b) as being anticipated by Saigusa, U.S. Patent No. 4,625,466. According to the Office action Saigusa discloses an abrasive material comprising a foam core (4), a multiple layer polishing (3 and 9) and an adhesive (5 and 5'). Applicant traverses this rejection for the following reasons.

Initially, applicant contends that Saigusa fails to disclose or suggest the present invention. The present invention is directed to an abrasive material comprising a core and a flexible layer formed on the surface of the core. By contrast, Saigusa discloses a polishing wheel comprising a ribbon-like polishing cloth whose outside surface is provided with an abrasive material and a flexible band composed of foam or plastic. Nowhere does Saigusa suggest that the flexible band 4 is a core as indicated in the Office action. The term "core" even given its plain meaning refers to the central or innermost part of an object, such as the earth's core. Although the claims must be given their broadest reasonable interpretation during prosecution, that interpretation must, nonetheless, be consistent with the specification. As indicated throughout the specification and drawings, the term "core" refers to the central or innermost part of a material. As clearly shown in the drawings, the core refers to an inner particle surrounded by an outer polishing layer.

Although applicant contends that this is the proper reading of the claims as originally set forth, claim 7 has been amended to clarify that the abrasive material is in the form of granules and that the layers are formed on the surface of the central core. Support for amended claim 7 and new claims 19-26 can be found throughout the specification and specifically in Fig. 2 showing abrasive material 10 in the form of granules. Additional support for the new claims can be found in the specification at page 7, lines 1-14 wherein the method for recycling the polishing layer by attaching abrasive particles to a used abrasive material is described. The abrasive material 10 is introduced into the drum 4 wherein adhesive is added and allowed to distribute evenly among the abrasive materials 10. Accordingly, it is apparent that this method of coating

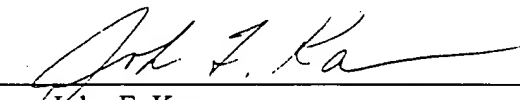
the abrasive material 10 with adhesive would provide a substantially uniform coating of the adhesive over the abrasive material.

Accordingly, applicant respectfully submits that the abrasive material claimed in the present application is novel and unobvious over the Saigusa reference. The flexible band 4 disclosed in Saigusa is not a core as that term is commonly understood by one skilled in the art and as used in the present application and, therefore, Saigusa cannot anticipate the claims of the present application. Furthermore, applicant has amended claim 7 to incorporate the limitations of claim 8 to indicate that the core is made of a porous synthetic foam resin to further distinguish over the prior art of record. Although Saigusa discloses a foam plastic, there is no teaching or suggestion of using a porous foam plastic. Accordingly, independent claim 7 and claims depending therefrom are patentable over the Saigusa reference for this reason as well.

Attached hereto is a marked-up version of the changes made to the claim by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made."

In view of the foregoing it is respectfully submitted that claims currently pending are distinguishable from the references cited and are in condition for allowance. Reconsideration of the rejection of record is respectfully requested. If the Examiner wishes to discuss any aspect of this response, please contact the undersigned at the telephone number provided below.

Respectfully submitted,

  
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Date: November 6, 2001

220765

**Version with Markings to Show Changes Made**

7. (Amended) An abrasive material comprising a core and a polishing layer, wherein said polishing layer comprises a flexible layer formed on the surface of the core and abrasive particles, wherein said core is made of a porous synthetic foam resin and said abrasive material is in the form of granules.